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Coordination of the policies and activities of the specialized agencies and other bodies of the United Nations system related to the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action

Report of the Secretary-General

Contents

		Paragraphs	Page
I.	Introduction	1–7	3
II.	Mainstreaming human rights: cooperation and coordination within the United Nations system	8–19	4
III.	Democracy, development, human rights and the right to development	20–26	8
IV.	Racism, racial discrimination and other forms of intolerance	27–28	11
V.	Equal status and human rights of women	29–39	13
VI.	Groups requiring special protection	40–59	15
	A. Children	40–44	15
	B. Indigenous peoples	45–49	16
	C. Minorities	50–52	17
	D. Migrant workers	53–55	17
	E. Internally displaced persons	56–57	18
	F. Other groups	58–59	18

* E/1998/100

98-15216 (E) 240698

VII.	Technical cooperation, human rights education and information	60–73	20
	A. Technical cooperation	60–65	20
	B. Education and information	66–73	21
VIII.	Implementation of international human rights standards	74–83	23
IX.	Interaction between the implementation of the Vienna Declaration and Programme of Action and the outcome of other United Nations conferences and summits	84–86	25
X.	Conclusion	87	26

I. Introduction

1. The Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[1] represents the solemn commitment of all States to promoting and protecting all human rights and fundamental freedoms. Its adoption marked a significant step forward in moving the promotion and protection of human rights to centre stage in United Nations activities. The Vienna Declaration and Programme of Action chart the course for the international community into the next century by providing the United Nations with a framework of principles and a programme of activities, approved by consensus, for achieving the objectives of the Charter of the United Nations in the field of human rights – the birthright of all human beings.

2. The underlying message of the Conference was to urge global action for human rights. The protection and promotion of human rights was reaffirmed as the first responsibility of Governments. The Conference emphasized that enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations. Within this framework, the United Nations system has worked to improve its capacity to respond to evolving needs. The year 1998 – the fiftieth anniversary of the Universal Declaration of Human Rights – provides an important opportunity to reflect on the achievements and shortcomings since the Conference, to recommit to local, national and international responsibilities and to make ambitious plans for the future. By striving for effective and efficient action through enhanced coordination of efforts, the United Nations system will be better able to offer assistance to Governments and civil society in their efforts to ensure respect for all human rights.

3. Real progress in the global human rights record depends on the involvement of all actors, each contributing in its own unique way. Civil society, including non-governmental organizations and academic institutions, is a natural partner for the United Nations system in its activities. Its empowerment is decisive for the emergence of a worldwide movement for human rights. Intra-system cooperation should build on this partnership and increasingly include civil society in the implementation of United Nations human rights projects.

4. The present report is submitted pursuant to Economic and Social Council decision 1997/319, in which the Council decided to devote the coordination segment of its substantive session in 1998 to the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action. Consideration of this question by the Council constitutes an important element in the overall context of the five-year review of the implementation of the Vienna Declaration and Programme of Action, as called for by the Conference: in paragraph 100 of section II of the Declaration and Programme of Action, the Conference requested the Secretary-General of the United Nations to invite on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights all States, all organs and agencies of the United Nations system related to human rights, to report to him on the progress made in the implementation of the Vienna Declaration and to submit a report to the General Assembly at its fifty-third session, through the Commission on Human Rights and the Economic and Social Council. The United Nations High Commissioner for Human Rights submitted an interim report entitled "Five-year review of the implementation of the Vienna Declaration and Programme of Action" (E/CN.4/1998/104) to the Commission on Human Rights at its fifty-fourth session, which will be made available to the Council at its present session. The Council will be able to identify (a) methods of achieving a concerted system-wide approach to human rights; (b) examples of best practices by the United Nations system in the implementation of the Vienna Declaration and Programme of Action; (c) areas of responsibility in which efforts should be made to implement fully the Vienna Declaration and Programme of Action; (d) measures for ensuring the contributions by each United Nations body and agency to the full implementation of the Vienna Declaration and Programme of Action; and (e) plans for improving inter-agency cooperation and coordination to achieve better results in the implementation of the Vienna Declaration and Programme of Action.

5. The present report has been prepared within the framework of inter-agency consultations, organized by the United Nations High Commissioner for Human Rights in 1997 and 1998. The purpose of the report is to provide an overview of the contribution by the United Nations system to implementing the recommendations made in the Vienna Declaration and Programme of Action and to submit recommendations for future action. The report therefore focuses on efforts to assist Governments and civil society, as well as to further enhance cooperation and coordination within the United Nations system to that end, based on universal human rights standards, as called for in paragraph 4 of section I of the Declaration and Programme of Action. It also addresses many of the specific themes covered by the Declaration and Programme of Action, which have been referred to in contributions provided by the United Nations system. Other important issues included in the

Declaration and Programme of Action will be examined in the final report on the five-year review of the implementation of the Vienna Declaration and Programme of Action, to be submitted to the General Assembly at its fifty-third session, which will also deal with implementation at the national level.

6. The Office of the United Nations High Commissioner for Human Rights addressed Governments, components of the United Nations system and other institutions and organizations mentioned in paragraph 100 of section II of the Vienna Declaration and Programme of Action, requesting their contributions to the five-year review process. As of 13 May 1998, contributions have been received from the following funds, programmes, specialized agencies and Secretariat units: the Department of Public Information, the Division for the Advancement of Women and the Centre for International Crime Prevention of the United Nations Secretariat, the Joint and Co-sponsored United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (UNAIDS), the United Nations Development Programme (UNDP), the World Food Programme (WFP), the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM), the United Nations Population Fund (UNFPA), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Centre for Human Settlements (Habitat) (UNCHS), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Volunteers programme (UNV), the International Labour Organization (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the United Nations Industrial Development Organization (UNIDO).[2] New contributions continue to be received. The United Nations system-wide input to the implementation of the Vienna Declaration and Programme of Action is too diverse to be reflected fully in the present report. This fact makes it necessary to focus on major tendencies with respect to its implementation, in some instances referring to specific examples. References are also made in the report to the contributions received that give a comprehensive picture of the achievements and shortcomings of the United Nations system. These contributions will be made available to the Council at its present session. The annual report of the United Nations High Commissioner for Human Rights, submitted to the Commission on Human Rights at its fifty-fourth session (E/CN.4/1998/122), will also be made available. Only those contributions received by the Office of the High Commissioner by 15 July 1998 could be taken into account for the final report to the General Assembly on the five-year review.

7. The present report should be considered in the context of the report of the Secretary-General on integrated and coordinated implementation and follow-up of major United Nations conferences and summits (E/1998/19).

II. Mainstreaming human rights: cooperation and coordination within the United Nations system

8. The Charter of the United Nations places respect for human rights alongside peace, security and development as the primary objectives of the Organization. The World Conference on Human Rights recalled that the promotion and protection of all human rights and fundamental freedoms must be considered as a priority objective of the United Nations. The Conference also recognized that relevant specialized agencies, bodies and institutions of the United Nations system, as well as other intergovernmental organizations, play a vital role in the formulation, promotion and implementation of human rights standards, within their respective mandates, and should take into account the outcome of the Conference within their fields of competence.[3] In its appeal for mainstreaming human rights in the United Nations system, which also includes the perspective of the equal status and human rights of women, the Conference stressed the need for cooperation and coordination among United Nations organs, bodies and specialized agencies to strengthen, rationalize and streamline their activities.

9. The establishment of the post of United Nations High Commissioner for Human Rights has directly contributed to that process. Pursuant to General Assembly resolution 48/141, the High Commissioner is responsible both for the promotion and protection of human rights and for the coordination of United Nations activities in this area. The Office of the High Commissioner has become a catalyst for the development of a global partnership for human rights built on an integrated and holistic approach, whereby all rights – civil, cultural, economic, political and social rights, as well as the right to development – are understood as having equal importance, and as being interrelated and mutually supportive. The Forum on "Mainstreaming human rights in the United Nations", held at the invitation of the High Commissioner on the first day of the fifty-fourth session of the Commission on Human Rights (16 March

1998) was attended by 16 heads of funds, organizations, programmes and specialized agencies under the chairmanship of the Secretary-General, and served as a clear demonstration of the growing commitment within the United Nations to an integrated approach to human rights, as called for by the Conference.

10. Since the Conference, the United Nations human rights programme has also developed both qualitatively and quantitatively, making the Office of the United Nations High Commissioner of Human Rights a strong partner in intra-system cooperation. New mandates resulting from General Assembly resolution 48/141 and other resolutions of the General Assembly and the Commission on Human Rights, as well as the increased number of activities within the existing mandates, has led both to an enlargement of capabilities and expertise of the Office and to wider interaction with other parts of the United Nations system. The growing involvement of the human rights programme in the field has enhanced cooperation between the Office and partners from the United Nations family.

11. Mainstreaming human rights primarily takes the following forms: (a) adoption of a "human rights-based approach" to activities carried out in terms of the respective mandates of components of the United Nations system; (b) development of programmes or projects addressing specific human rights issues; (c) reorientation of existing programmes as a means of focusing adequate attention on human rights concerns; (d) inclusion of a human rights component in field operations of the United Nations; (e) the presence of the human rights programme in all structural units of the Secretariat responsible for policy development and coordination.

12. A "human rights-based approach" ensures that human rights standards, as established in international law, are applied as a criterion for policy orientation and for the solution of problems in specific areas. It introduces a normative basis which is obligatory for State Parties, and thus requires a legislative response at the State level. A rights approach implies that "beneficiaries" of policies and activities are active subjects and "claim holders" and stipulates duties or obligations for those against whom such claims can be held (objects or "duty bearers").[4] For example, UNICEF has based its entire programme of action on the Convention on the Rights of the Child. This policy ensures a firm and consistent foundation for the activities of UNICEF and its partners. The policy document entitled "Integrating human rights with sustainable development", recently adopted by UNDP, refers to this approach. UNHCR increasingly views the better integration of human rights principles into its work as a key part of its mission. UNHCR stresses that human rights law is a prime source of existing refugee protection principles and structures and, therefore, there is a natural complementarity between its protection work and the international system for the protection of human rights. UNESCO activities are based in large part on the following rights: to education, to freedom of opinion and expression, to information, and to participation in cultural life. ILO involvement in human rights is expressed principally through its standards relating to various aspects of the world of work. The ILO guiding principle is social justice, which is fully consistent with that of human rights. The UNV "Strategy 2000" framework highlights preventive/curative development, which recognizes human rights as an essential cornerstone and as a priority for continued and expanded activity. WFP is increasingly involving the right to food as guidance for its assistance and technical cooperation projects. The reaffirmation of the existence and the legal status of the human right to adequate housing by the United Nations Conference on Human Settlements (Habitat II) and the extensive elaboration of the topic in the Habitat Agenda, adopted by the Conference,[5] have given a strengthened mandate to UNCHS to pursue the full and progressive realization of this distinct right. These are only some examples of how a human rights approach can have an impact on the work of the United Nations system by placing the human being at the centre of the organization's activities – a requirement emphasized in the Declaration on the Right to Development.[6] In addition to the Vienna Declaration and Programme of Action, the final documents of the World Summit for Social Development, the Fourth World Conference on Women, Habitat II and the World Food Summit all highlight the international consensus which recognizes international human rights standards as the yardstick for measuring the results of the activities called for in those documents.

13. The present report and contributions to it refer to many examples of activities undertaken by the United Nations system that address specific human rights issues and highlight other activities relevant to and impacting on the realization of human rights. There is a growing understanding of the links between human rights and other activities, which in the past were often viewed as irrelevant to human rights concerns. Experience has also shown that fears of possible tensions between human rights and developmental, humanitarian and security programmes disappear once the supportive role of human rights in achieving goals of these programmes has been fully recognized.

14. Human rights activities undertaken by humanitarian and developmental organizations indicate that the

complementarity between human rights and other activities of the United Nations is not only a policy postulate but also reflects genuine needs on the ground. For example, a smooth transition from relief to rehabilitation requires investment in human rights as it becomes increasingly evident that their promotion and protection are prerequisites for lasting solutions to social problems. Therefore, development programmes should be oriented, *inter alia*, towards establishing and strengthening national human rights capacities. On the other hand, the human rights programme can greatly contribute to the prevention of humanitarian disasters caused by human action or inaction. A human rights component can also benefit projects concerning rehabilitation, recovery and development, with a special focus on respect for the rule of law and assistance in the transition process to democracy. Mainstreaming human rights in the United Nations can decisively enhance all these potentials.

15. Human rights are being increasingly addressed in the field. This is consistent with the general approach to the coordinated follow-up to United Nations conferences and summits. It is to be noted that the Office of the United Nations High Commissioner for Human Rights is now present in 20 countries, whereas in 1993 only the Special Rapporteur for the former Yugoslavia was supported by a field presence. In addition to projects developed individually, components of the United Nations system are strengthening their human rights cooperation at the field level as well. For example, the Office of the High Commissioner cooperates with the Department of Peacekeeping Operations in creating human rights components within the peacekeeping operations run by that Department. Memoranda of Understanding between UNDP and the Office of the High Commissioner, as well as between UNHCR and the Office of the High Commissioner also established the framework for cooperation in the field. Another encouraging example is that the concluding comments of the Committee on the Elimination of Discrimination against Women are forwarded by UNDP to its field-level officers for follow-up.

16. Since January 1997, the work of the United Nations Secretariat, programmes and funds has been organized into five areas: peace and security, economic and social affairs, development cooperation, humanitarian affairs, and human rights. While the first four areas are covered by the respective Executive Committees, the Office of the United Nations High Commissioner for Human Rights participates in the activities of all the Committees, assuring the integration of human rights into all the Organization's activities. The report of the Secretary-General entitled "Renewing the United Nations: a programme for reform" (A/51/950) stresses that "human rights are integral to the promotion of peace and security, economic prosperity and social equity" (para. 78). The ongoing process of reform reflects the message of the World Conference that human rights are the central concern of the United Nations agenda and gives full support to the effective exercise of the High Commissioner's mandate. At its second regular session of 1997 (New York, 31 October 1997), the Administrative Committee on Coordination (ACC) also emphasized the importance of mainstreaming human rights in further normative, policy, programme and project work relating to the follow-up to recent global conferences.[7] ACC and its subsidiary bodies, as well as other inter-agency mechanisms such as the Inter-Agency Standing Committee, have included human rights in their agendas and have increased the coordination of efforts undertaken in this and related areas.

17. Since the World Conference, human rights have assumed a more prominent place in the United Nations system than ever before. The final documents of United Nations world conferences and summits held during the 1990s, as well as resolutions of the General Assembly and decisions adopted by the competent organs and bodies of the United Nations system illustrate this development. Although the past 12 months have brought a decisive acceleration of this process and its expansion throughout the system, further mainstreaming of human rights in the United Nations system continues to be one of the major tasks pivotal to implementing the recommendations of the Vienna Declaration and Programme of Action. Those organizations that have not, to date, been in a position to develop their own programmes in this area should now do so.

18. Further efforts are also necessary with regard to intra-system coordination of activities related to human rights. Communication must be improved, not only at the highest but at all institutional levels. Comprehensive human rights training of United Nations staff is indispensable for the further mainstreaming of human rights into the United Nations system and for enhanced coordination of related activities. Establishment of human rights focal points within each component of the United Nations system, as well as development of joint or coordinated programmes addressing human rights issues, could provide the organizational framework for cooperation in this area.

19. Strengthening cooperation and coordination at the national level, with a view to assisting more effectively in the implementation of human rights standards by Governments and civil society, must be at the centre of attention of all those involved. The human rights dimension should be included in the design and realization of all United

Nations coordinated country programmes. The establishment of human rights focal points in United Nations field offices can ensure a continuing focus on these rights. The Office of the United Nations High Commissioner for Human Rights is available to provide resident coordinators and resident representatives, as well as other components of the United Nations system with substantive guidance in this respect, with a view to putting in place a consistent approach to human rights system-wide.

Recommendations:

(i) The Council, reaffirming the appeal of the World Conference on Human Rights for a system-wide approach to human rights, could call on all components of the United Nations system to mainstream further human rights, including gender-related aspects, into their activities. The Council could express its support for the steps taken by the Office of the United Nations High Commissioner for Human Rights to facilitate mainstreaming human rights, as well as to promote intra-system cooperation and coordination in this area. All United Nations departments, funds, programmes and specialized agencies should be called upon to participate actively in this process. Inter-agency consultations at the working level, organized by the United Nations High Commissioner for Human Rights with the support of the Administrative Committee on Coordination, to prepare for the fiftieth anniversary of the Universal Declaration of Human Rights and the five-year review of the implementation of the Vienna Declaration and Programme of Action, should continue in the future as a forum for cooperation covering various aspects of United Nations human rights activities.

(ii) The Council could call on its functional commissions, as well as the regional commissions, to mainstream human rights into their activities. The Council could recommend that its subsidiary bodies draw the attention of components of the United Nations system to the role human rights should play in development, as well as in social and humanitarian issues. The Council could also encourage the General Assembly to direct all its Main Committees and subsidiary bodies, as appropriate, to take human rights into consideration in their work.

(iii) The Council could emphasize the need for a comprehensive and integrated approach to the promotion and protection of human rights based on effective coordination of efforts by United Nations bodies and specialized agencies. The Council could reiterate the recommendation of the World Conference on Human Rights that high-level officials of United Nations bodies and agencies at their annual meeting not only coordinate their activities but also assess the impact of their strategies and policies on the enjoyment of all human rights.[8]

(iv) The Council could recommend that a "human rights-based approach" guide the United Nations Secretariat and other parts of the United Nations system, when formulating policies or implementing programmes and activities in various areas. The Council could also encourage components of the United Nations system to develop policy documents concerning their respective contributions to the promotion and protection of human rights.

(v) In addition to the recommendation of the World Conference concerning the assignment of human rights officers to regional offices of the United Nations to assist in the dissemination of information and the provision of training and other technical assistance in the field of human rights,[9] the Council could call for the establishment of human rights focal points in all relevant components of the United Nations system at the headquarters and country levels. The Council could also stress the importance of human rights officers becoming an integral part of the United Nations country teams to provide input into the formulation and implementation of their respective programmes (human rights officers should be part of "United Nations houses").

(vi) The Council could recommend that all components of the United Nations system developing activities in the field coordinate their projects in human rights and related areas. Components of the United Nations system involved should draw on the expertise of the Office of the United Nations High Commissioner for Human Rights with regard to human rights standards and practices, as appropriate. The Council could also recommend that human rights priorities be incorporated into the preparation of the common strategy note, the United Nations Development Assistance Framework or other programming frameworks.

(vii) The Council could express its support for the system-wide human rights training of United Nations staff to increase and improve cross-sectoral knowledge, and thus contribute to human rights

awareness-building. This would also facilitate the development of a consistent system-wide approach to human rights assistance based on international human rights standards. Components of the United Nations system should be encouraged to cooperate closely in this regard with the United Nations High Commissioner for Human Rights.

III. Democracy, development, human rights and the right to development

20. The World Conference forged a consensus around the overarching concept of the interdependence and mutual reinforcement between democracy, development and human rights.[10] It recognized that without sustainable development strategies to provide an adequate standard of living for all people and without democratic structures in place through which people can actively participate in the civic life of their communities, human rights cannot be fully realized. The World Conference, therefore, recommended that priority be given to national and international action to promote democracy, development and human rights.[11] The holistic approach taken by the World Conference in addressing these fundamental issues served as the integrating theme of the Vienna Declaration and Programme of Action. Since 1993, this interrelationship has become a basic tenet for the international human rights system and has been reinforced through other world summits and conferences such as the World Summit for Social Development, in 1995.

21. The Vienna Declaration and Programme of Action reaffirmed the right to development as a universal and inalienable right, integral to fundamental human rights and an increasingly important vehicle for combating the social, economic and cultural exclusion that is felt by many people worldwide. The Commission on Human Rights at its forty-third session, in 1998, reiterated that "the essence of the right to development is the principle that the human person is the central subject of development and that the right to life includes within it existence in human dignity with the minimum necessities of life".[12] The concept of the right to development allows the ties between all rights to be recognized and enables them to be perceived from the perspective of the individual's participation in sustainable development. Consequently, the right to development includes the place of individuals in civil society, their participation in running public affairs at the national and community levels, their personal, economic and social security and their capacity to determine and realize their potential. Components of the United Nations system, in particular those acting in the field of development and human rights, must align their capacities to respond adequately to the complex and diversified needs relating to the implementation of the right to development.

22. As in the case of all other human rights, the domestic level is decisive for the implementation of the right to development. The Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development,[13] clearly recognized each State's primary responsibility for its own development. However, sustainable development also requires appropriate international arrangements, on the basis of which cooperation and assistance can be offered to countries and societies which need it. The World Summit for Social Development (Copenhagen), the International Conference on Population and Development (Cairo), the World Food Summit (Rome), and the United Nations Conference on Human Settlements (Habitat II) (Istanbul) all stressed that the international community cannot limit its assistance to humanitarian aid but should contribute to the sustainable development of societies if all human rights, including the right to development, are to be duly implemented.

23. Components of the United Nations system play an increasingly preponderant role in the implementation of the right to development. Their reports in the context of the present review highlight the growth in resources being devoted to projects that impact on democracy, development and human rights. References have been made to contributions to the development of national legislation; the establishment and strengthening of national institutions; infrastructures that uphold the rule of law and ensure a functioning democracy; effective and fair justice systems, including criminal justice; electoral assistance; eradication of poverty; establishing adequate standards of living; building human rights awareness through training, teaching and education; and assistance to civil society. Other reports point to health, food and housing. Still others refer to initiatives focusing on investment, income generation and technical training. The Working Group on the Right to Development, established by the Commission on Human Rights, has played an important role in developing a clearer understanding of the components of the right to development and envisaging methods of its implementation. At its fifty-fourth session, the Commission on Human Rights, in resolution 1998/72,[14] recommended to the Economic and Social Council the establishment of a follow-up mechanism that would consist of (a) the establishment of an open-ended working group that would monitor and review progress made in the promotion and implementation of the right to development and suggest possible programmes of technical

assistance at the request of interested countries, with the aim of promoting the implementation of the right to development; (b) the appointment by the Chairman of the Commission on Human Rights of an independent expert in the field of the right to development, with a mandate to present to the Working Group at each of its sessions a study on the current state of progress in the implementation of the right to development.

24. The basic link between democracy, development and human rights requires that all human rights be viewed as universal, interdependent and equally important. The holistic approach to human rights requires, however, that particular attention be paid to those rights that are currently in a weaker position: from a global perspective, the content of economic, social and cultural rights still needs to be better determined and the means and methods of realizing those rights needs to be strengthened. Therefore, various parts of the United Nations system have recently placed these rights high on their agendas. The right to food, adequate housing and health, the eradication of extreme poverty, and respect for international labour standards (including freedom of association and collective bargaining in the area of labour, freedom from discrimination in labour and the elimination of forced labour and exploitative child labour) are also subject to inter-agency cooperation. The Office of the United Nations High Commissioner for Human Rights has launched a global technical cooperation project to support the implementation of economic, social and cultural rights, and is also taking steps to support the Committee on Economic, Social and Cultural Rights. Several seminars have been organized to that end. Other relevant activities included a recent expert round table on benchmarks for economic, social and cultural rights (25 March 1998), organized by the Office of the High Commissioner.

25. The following information, received from components of the United Nations system, provides examples of relevant activities in this area:

- **FAO**. The plan of action for women in development (1996-2001) focuses on increasing rural women's access to and control of productive resources and services as well as their role in decision-making, labour, finance, education and off-farm income-generating activities; technical and financial assistance to over 100 countries in developing and implementing national plans of action for nutrition, as well as assistance to countries in the areas of food quality and safety legislation, export certification and pesticide registration.

- **ILO**. Relevant activities include the consolidation of democracy and respect for fundamental workers' rights through international labour standards and cooperation with partners; the participation of employers and workers in ILO decision-making and supervisory structures as well as in implementation of standards; efforts to better identify and address the relationships between poverty and social exclusion.

- **UNCHS** provides assistance to countries on practical aspects in the realization of the human right to adequate housing, which includes, *inter alia*, promotion of security of tenure, protection against illegal evictions, prevention of discrimination in the housing sphere and strategies to combat homelessness.

- **CICP** oversees the implementation of United Nations standards and norms in crime prevention and criminal justice. These standards and norms provide guidance to law enforcement officials, judges, prosecutors, lawyers and other criminal justice personnel on how to make criminal justice systems more effective and humane.

- **UNCTAD**. A policy paper (under preparation) will guide the contribution of UNCTAD to a range of human rights issues in the fields of international trade, investment technology, finance and sustainable development.

- **UNDP**. In the framework of its policy document entitled "Integrating human rights with sustainable development", UNDP addresses all human rights, in particular the right to development. In addition to its main priority to aid countries in eradicating poverty, which is also highlighted as a major goal in the Vienna Declaration and Programme of Action,[15] good governance programmes play a critical role in UNDP activities. Related projects address, among other things, the protection of freedom of expression and peaceful assembly, the right of individuals to participate directly or through periodic elections in the life of the community, the equal rights of women, and strengthening democratic institutions and the rule of law. UNDP has also significantly increased its funding for human rights since 1993.

- **UNESCO** undertakes activities related to support of the democratic process in countries in transition. It has organized a number of national, regional and international seminars to further promote the concept of democracy, including the participation of women in public affairs.

- **UNIDO** provides support to developing countries and economies in transition through activities which involve on-the-job-training and capacity-building at the policy, institutional and enterprise levels; 440 projects in 1996 focused on integrating women in industrial development, on enhancing access to information related to technology, investments, markets and communications; on regional industrial development and on creating supportive and autonomous institutions as well as social support facilities to assist small entrepreneurs in developing income-generating opportunities.
- **UNICEF**. Relevant activities involve support for microcredit projects; improving access to and quality of education for all; assistance in establishing 500 village management committees; and training in hygiene for 150 villages.
- **UNIFEM** carries out a programme of initiatives aimed at the economic and political empowerment of women. It has convened policy dialogues on issues affecting home-based workers; promoted the use of the recent ILO Convention on Home-Based Workers, encouraged the formation of networks advocating women's equal access to productive resources and opportunities; and supported efforts to increase women's political participation in all regions.
- **UNFPA**. The human rights framework of the Fund is based on the principle that women must be free to make choices of their own and to make decisions concerning their reproductive and sexual health, free from discrimination, coercion and violence, as affirmed by the International Conference on Population and Development and the Fourth World Conference on Women; the Fund's contributions in the area of human rights are reviewed in its recent publication: *UNFPA: A Focus on Population and Human Rights* (May 1998).
- **UNV** carries out activities supporting gender mainstreaming in development; assisting microcredit initiatives; promoting the economic viability of artisan communities; and building non-governmental organization capacities in various sectors.
- **WFP**. Activities aim at enhancing the participation of groups specifically referred to in the Vienna Declaration and Programme of Action, such as indigenous populations and women, in the implementation of food assistance projects.
- **WHO**. Initiatives address the right to health, safe food and adequate nutrition; a Task Force on Health in Development formulated a "right to health security", which was presented to the Subcommission on Prevention of Discrimination and Protection of Minorities in 1996. A conference on "Ethics, Equity and Renewal of WHO's Health-for-All Strategy" in 1997 also highlighted the role of human rights in the protection of health.
- **International Decade for Natural Disaster Reduction**. Through the implementation of the recommendations of the World Conference on Natural Disaster Reduction (1994), the Decade contributes to the reduction of vulnerability of populations at risk from natural and environmental hazards, in particular in least developed countries.

26. The United Nations system will continue to work towards system-wide action focused on implementing the right to development. United Nations bodies and agencies refer to lack of funding and trained human resources as well as the absence of supportive policy and planning environments at the national level as major obstacles to furthering their efforts in these areas. System-wide cooperation and coordination is one of the basic responses to existing difficulties. The Working Group on the Right to Development of the United Nations Development Group (UNDG), chaired by the United Nations High Commissioner for Human Rights, is elaborating appropriate measures to enhance collaboration. The Executive Committee on Economic and Social Affairs has also examined the programmatic aspects of the issue. Greater efforts to streamline resources, information and strategies at all levels, particularly the country level, would significantly enhance the ability of the United Nations to respond in an effective and efficient manner to the many challenges still present. The involvement of all potential contributors to the implementation of the right to development, from both within and outside the United Nations system, including the Bretton Woods institutions, is also vital. The level of commitment which has been expressed by the World Bank in exploring new avenues of cooperation on issues such as poverty alleviation, wider community participation and good governance is an encouraging sign of the consistency in approach that should foster closer cooperative efforts in the future. Finally, the United Nations system will continue to seek close cooperation with civil society. Overall development strategies rightly stress the importance of involving recipients in the design, planning and implementation of projects and activities, as well as of an

active approach to promoting and protecting human rights through providing people with the tools necessary for action.

Recommendations:

(i) The Council could call for a consistent affirmation throughout the United Nations system of the interrelationship and interdependence between democracy, sustainable development and human rights, which should contribute decisively to effective and efficient action in all these areas integrated by the recognition of the human person as the central subject, beneficiary and participant in development. The link between democracy, sustainable development and human rights should be fully reflected in the policies and activities of the components of the United Nations system.

(ii) The Council could urge the relevant components of the United Nations system to take further steps for the promotion, protection and realization of the right to development by, *inter alia*, promoting and drawing upon the expertise of those active in both sustainable development and human rights areas. The Council could recommend to components of the United Nations system to enhance cooperation with a view to improving implementation of the right to development. The Council could invite the Bretton Woods institutions to increase their participation in this process.

(iii) The Council could call for continuing focus of the United Nations system on implementing its agreed conclusions concerning system-wide efforts for the eradication of extreme poverty.[16] Extreme poverty is a severe violation of many fundamental human rights and often renders democracy and popular participation illusory. The Council could call on components of the United Nations system to specifically include human rights as a major element in anti-poverty strategies.

(iv) The Council could support the efforts carried out by the United Nations High Commissioner for Human Rights to promote implementation of economic, social and cultural rights, and call for enhanced cooperation with the Committee on Economic, Social and Cultural Rights in order to assist it to fulfil its functions. The Council could also call on components of the United Nations system to cooperate with the Working Group on the Right to Development, the Independent Expert on the Question of Human Rights and Extreme Poverty and the Special Rapporteur whose mandate will focus on the right to education, appointed by the Commission on Human Rights at its fifty-fourth session, in 1998.

IV. Racism, racial discrimination and other forms of intolerance

27. The Vienna Declaration and Programme of Action reaffirmed that respect for human rights and fundamental freedoms without distinction of any kind is a primary objective of international human rights law. Elimination of all forms of racism and racial discrimination, xenophobia and related intolerance is, therefore, a priority task for the international community. Governments, groups, institutions, intergovernmental and non-governmental organizations and individuals were urged to intensify their efforts against these evils. The Programme of Action for the Third Decade to Combat Racism and Racial Discrimination provides a functional framework for coordinated action. It must be pointed out, however, that the Commission on Human Rights, in its resolution 1998/26 concerning the Programme of Action for the Third Decade, expressed regret at the continued lack of interest, support and financial resources for the Decade, and noted that few of the activities planned for the period 1994-1997 had been carried out. The Commission recommended that priority be given to education as a principal means of preventing and eradicating racism and racial discrimination. It is to be hoped that the preparatory process leading up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance will provide impetus to activities in support of the Programme of Action, which will include contributions from all parts of the United Nations system.

28. For its part, the United Nations system undertakes a variety of activities addressing the phenomenon of discrimination and other forms of intolerance:

- **The Department of Public Information**, in coordinating and initiating activities for the World Public Information Campaign for Human Rights, in collaboration with other United Nations partners, uses a multi-media approach to ensure effective coverage of the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination; UN Radio has produced more than 50 programmes and featurettes on racial discrimination in various languages.
- The rise in new forms of racial and ethnic discrimination, including "ethnic cleansing", and the situation of migrant workers, asylum-seekers and

refugees are the subject of close cooperation between UNICEF, UNDP, UNHCR, the Office of the United Nations High Commissioner for Human Rights, UNV, ILO and UNESCO.

- **ILO** has adopted a number of conventions and recommendations predicated on the idea of non-discrimination. The ILO supervisory bodies have adopted the principle that the application of all ILO standards must take place in an atmosphere of respect for basic rights, including the principle of non-discrimination. Recent operational activities of ILO include a special programme to address labour issues in post-conflict situations with an ethnic context. ILO published a study intended to serve as a guide for employers' and workers' organizations and Governments in Central and Eastern Europe in combating discrimination in employment and occupation. ILO also maintains regular cooperation with the Subcommission on Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination.

- **UNHCR** activities in the former Yugoslavia and Rwanda aim at the peaceful return of refugees and displaced persons to their areas of origin or those of their choosing. In order to create a climate of understanding between communities, a joint planning and executive coordination body between UNHCR and UNDP was established with the task of assisting the Government of Rwanda to ensure the organized and efficient utilization of the resources in the integration programme for returnees, survivors of the genocide, vulnerable groups and those members of the general population affected by the war and/or genocide.

- **UNICEF**, in partnership with other components of the United Nations system (ILO, UNESCO and WHO) undertakes activities aimed at ensuring non-discrimination and respect for the best interests of children with disabilities, refugees, and displaced and migrant children, particularly in education.

- **UNESCO** activities are intended to promote tolerance and the elimination of all forms of discrimination, especially in the field of education. Activities were especially oriented towards (a) responding to a new wave of discrimination provoked by migration flows and the resurgence of extreme nationalism; (b) promoting education against discrimination; (c) ensuring better protection of children; (d) contributing to the work of UNHCR for the reintegration of Rwandan returned children into the national school system and in favour of refugees and displaced persons; (e) giving moral, intellectual, technical and financial support for the enhancement of the capabilities of indigenous peoples; (f) combating all inequalities based on sex in education. On the initiative of UNESCO, 1995 was proclaimed United Nations Year for Tolerance (General Assembly resolution 48/126) and the Declaration of Principles on Tolerance was adopted.

- **UNCHS** addresses racial and other forms of discrimination in the context of housing. Its programmes place particular emphasis on preventive measures. UNCHS cooperates closely with the Office of the United Nations High Commissioner for Human Rights in undertaking activities relating to its programme.

- **UNDP** provided funds for the organization of the "International Seminar on Multiculturalism and Racism: The Role of Affirmative Action in Contemporary Democracies" in Brazil in 1996.

Recommendations:

(i) The Council could call on components of the United Nations system to strengthen their efforts to eradicate racism, racial discrimination and intolerance – including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity. Enhanced participation in the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination should become the inter-agency tool to achieve improved results in this area. The establishment of an inter-agency mechanism for coordinating all the activities of the Third Decade should be considered.

(ii) The Council could call on all components of the United Nations system to participate actively in the preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held not later than the year 2001. The Conference process should be action-oriented and define a programme involving the entire international community.

(iii) The Council could encourage the elaboration of a United Nations comprehensive approach to ethnic and racial persecution victimizing migrants, refugees, asylum-seekers and minorities – the most frequent victims of discrimination.

V. Equal status and human rights of women

29. The World Conference on Human Rights provided significant impetus to the efforts on the part of the United Nations system over the past five years to strengthen the equal status and human rights of women. The clear message from the Vienna Declaration and Programme of Action that "the human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights" and that the "human rights of women should form an integral part of the United Nations human rights activities"[17] were reaffirmed in greater detail in the Platform for Action of the Fourth World Conference on Women, in 1995. Though important steps have been taken throughout the United Nations system to address the gender issue in a comprehensive way,[18] a great deal of work is still required to mainstream the equal status if the specific objectives laid out in the Vienna Declaration and Programme of Action are to be attained.

30. Activities of the United Nations system currently focus on the elimination of discrimination against women in all spheres of life; the eradication of violence against women; the development of programmes oriented towards the protection of the human rights of women; and support of women's participation in political, economic, professional, social and cultural life. To that end, programmes that incorporate the gender dimension into technical assistance and advisory services for Governments and civil society, education and vocational training and monitoring are currently being developed. Cooperation between the United Nations system and relevant non-governmental organizations has also taken on a wider role in this regard since 1993.

31. A system has been established to evaluate progress achieved in mainstreaming a gender perspective with the United Nations system and in follow-up to the Fourth World Conference on Women. The report of the Secretary-General on the coordination of United Nations system activities for mainstreaming a gender perspective into all policies and programmes of the United Nations system (E/1997/66) provides a clear definition of mainstreaming a gender perspective. Reports of the Secretary-General to the General Assembly, submitted through the Commission on the Status of Women and the Economic and Social Council, allow for a systematic review of steps taken within the United Nations system to mainstream a gender perspective, and thus provide a solid basis for promoting the equal status and human rights of women and for enhancing capacities in this area. For instance, the Secretary-General's report on the mid-term review of the system-wide medium-term plan for the advancement of women, 1996-2001 (E/CN.6/1998/3), submitted to the Commission on the Status of Women at its forty-second session, referred extensively to the developing relationship between the Division for the Advancement of Women and the Office of the United Nations High Commissioner for Human Rights, which includes the development of joint work plans to help facilitate mainstreaming women's human rights throughout the United Nations system.

32. Integrating the gender and human rights of women perspective into the work of the treaty bodies and the special procedures mechanisms of the Commission on Human Rights is of continuing importance. It is to be noted that the Commission on Human Rights, following the recommendation of the World Conference, appointed a Special Rapporteur on violence against women, its causes and consequences. Particular mention should also be made of the round table of human rights treaty bodies on human rights approaches to women's health with a focus on women's reproductive and sexual health rights, held at Glen Cove, New York, in December 1996 (see document WHG/97/3/8). The need for all special rapporteurs to include the gender perspective in their respective mandates must be stressed. The mandate of the newly appointed Special Rapporteur on economic, social and cultural rights reflects increased understanding of the links between these rights and the present situation of women.

33. The contributions to the five-year review of the implementation of the Vienna Declaration and Programme of Action provide many examples confirming that the gender perspective, in general, and the equal status and rights of women, in particular, are being mainstreamed by the United Nations system-wide. UNHCR devotes considerable resources to the prevention of and response to violence against refugee women. UNHCR recently issued to all field staff policy guidance on dealing with the health rights of women and, more specifically, with eradicating traditional practices harmful to the health and well-being of girls and women. In 1996, UNFPA convened a round table of human rights treaty bodies on human rights approaches to women's health (see para. 32 above), which focused on reproductive and sexual health rights. The recommendations of the round table have been endorsed by the treaty monitoring bodies, which will collect information on the observance of reproductive rights in the course of their monitoring responsibilities.

34. WHO has established a Global Commission on Women's Health, which displayed a strong commitment to human rights, and initiated the publication *Women's Health*

and Human Rights: The Promotion and Protection of Women's Health through International Human Rights Law. The World Health Assembly adopted a resolution in 1996 (WHA49.25), in which the Assembly recognized the prevention of violence against women and girls as a public health priority; while concentrating on the health aspects of the issue, it recognized female genital mutilation as a violation of human rights. WHO, together with the Division for the Advancement of Women of the United Nations Secretariat and UNFPA, is supporting the work of the Committee on the Elimination of Discrimination against Women on the formulation of a general recommendation on health.

35. UNIFEM has established a special Women's Human Rights Programme reflecting the organization's commitment to supporting initiatives to strengthen the capacities of women's organizations working in the field of human rights and facilitating women's access to and use of the international human rights machinery. UNIFEM has developed a funding mechanism in support of innovative and catalytic activities directed towards the elimination of violence against women. It also sponsors an annual training workshop for non-governmental organization (NGO) human rights advocates whose countries report to the Committee on the Elimination of Discrimination against Women, and publishes advocacy materials demonstrating how to integrate a gender perspective into the work of thematic special rapporteurs, working groups and independent experts of the Commission on Human Rights. UNIFEM, UNDP and UNV are working together to intensify the follow-up process to the Beijing Platform for Action, with renewed emphasis on gender mainstreaming. As a result of this joint effort, UNV gender-in-development specialists are being fielded to support UNDP country offices in working towards gender equity and the advancement of women.

36. Action related to ameliorating the situation of women, their genuine equality and their increasingly important role in sustainable development has become a priority for UNESCO. A special project related to the legal education of women and the elimination of legal illiteracy has been implemented and a special unit to coordinate activities in favour of women has been established within the UNESCO secretariat.

37. Concerning the empowerment of women in economic life, UNCTAD is currently undertaking a study on enhancing the participation of women entrepreneurs in the least developed countries. The FAO plan of action for women in development (1996-2001) focuses on activities aimed at increasing rural women's access to and control of productive resources and services as well as their role in decision-making, labour, finance, education and off-farm income-generating activities, among others. UNICEF has also contributed to this approach by initiating microcredit projects to help women obtain the financial resources and skills to earn money and become active participants in community development.

38. Greater equality of opportunity and treatment between men and women in the world of work will remain one of the key aspects of ILO activities concerning standards, technical assistance, and information training during the present biennium.[19] Among other things, ILO is implementing a programme launched in 1996: More and Better Jobs for Women, which addresses the issue at the national level. The International Labour Conference in 1999 will consider revising the Maternity Protection Convention. UNDP is developing programmes and processes which assist Governments in reforming legal systems and outlawing discrimination in employment, education, family affairs, land rights, credit services and other entitlements. The Office of the United Nations High Commissioner for Human Rights is currently working with the Division for the Advancement of Women to implement a special project designed to integrate a gender perspective into all aspects of the technical cooperation programme of the Office. UNAIDS created an action plan to indicate some of the ways in which a gender perspective would be integrated within the programme's work. During the biennium 1998-1999, activities will include the preparation and field testing of a model country report addressing HIV/AIDS under the Convention on the Elimination of All Forms of Discrimination against Women. CICP bases it programmes related to action to prevent violence against women on the Model Strategies and Practical Measures on the Elimination of Violence Against Women in the Field of Crime Prevention and Criminal Justice, which were adopted by the General Assembly in 1997 (resolution 52/86, annex).

39. The World Bank is committed to furthering the goals contained in the Beijing Platform for Action, not by "adding on" gender issues but by a concerted effort to mainstream them into all Bank activities. Gender concerns are an integral part of the Bank's country policy work. The country assistance strategy (CAS), which spells out key policy priorities for a country and forms the basis for the lending programme and for non-lending policy advice, is the cornerstone. The Bank is developing guidelines for the incorporation of gender into CAS and is working on ways to identify countries with relatively large gender gaps for priority attention.

Recommendations:

(i) The Council could reaffirm its agreed conclusions 1997/2[20] as the framework for a comprehensive strategy to mainstream the gender perspective into all aspects of the work of the United Nations, at both the Headquarters and field levels, including women's political and economic empowerment.

(ii) The Council could call for special efforts to be made by the United Nations system aimed at developing and consolidating expertise concerning the equal status and human rights of women. The Council could recommend to those components of the United Nations system dealing directly with equal status and the human rights of women, such as UNIFEM, UNFPA, INSTRAW, the Division for the Advancement of Women and the Office of the United Nations High Commissioner for Human Rights, to explore further the coordination of activities specifically in the areas of research and implementation. The Council could welcome the joint report prepared by the Office and the Division on women's real enjoyment of human rights, in particular those relating to the elimination of poverty (E/CN.4/1998/22-E/CN.6/1998/11), submitted simultaneously to the Commission on the Status of Women and the Commission on Human Rights, and encourage further strengthening of the relationship between the Office of the United Nations High Commissioner for Human Rights and the Division for the Advancement of Women. The Council could encourage United Nations bodies and agencies to increase cooperation with other organizations, such as the International Organization for Migration (IOM), in developing activities against trafficking in women and children.

(iii) The Council could emphasize the importance of training in the human rights of women to be provided to all United Nations personnel and officials, especially those in human rights and humanitarian relief activities so that they recognize and deal with violations of the human rights of women and can take into account fully the gender aspects of their work.

(iv) The Council could request the General Assembly and recommend to the Commission on Human Rights to make explicit the integration of a gender perspective when establishing or renewing human rights mandates. The Council could also recommend that the Commission on Human Rights develop guidelines for special rapporteurs, representatives, independent experts and working groups concerning preventive and remedial action against violations of the human rights of women.

(v) The Council could encourage the treaty bodies to continue their work towards including the status and human rights of women in their deliberations and findings; disseminating necessary information to enable women to make use of existing implementation procedures more effectively; and including the gender factor in the interpretation of international human rights law. The Council may further wish to encourage the treaty bodies to develop a common strategy for monitoring the rights of women, which should involve cooperation with the relevant components of the United Nations system.

VI. Groups requiring special protection

A. Children

40. The World Conference on Human Rights has given strong impetus to the promotion and protection of the rights of the child. The Convention on the Rights of the Child (the Conference called for its universal ratification by 1995) asserts the spirit of complementarity and interdependence of human rights by combining civil and political rights with economic, social and cultural rights. A new culture of child rights is spreading rapidly. Children's rights have been given increasing consideration in the major United Nations conferences held since 1993 (the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women) and other important international gatherings (such as the Stockholm World Congress against Commercial Sexual Exploitation of Children,[21] the Amsterdam Child Labour Conference and the Oslo International Conference on Child Labour[22]).

41. The Convention on the Rights of the Child and its implementation process have had considerable impact on the programmes of most United Nations bodies and agencies, as well as non-governmental organizations, which have incorporated the Convention's spirit and standards into their daily work. Fundamental in this regard has been the integration of a human rights dimension into UNICEF's programme worldwide, as illustrated by its 1996 mission

statement.[23] Close cooperation between UNICEF and the Committee on the Rights of the Child is one of the pillars of this approach. Its sustained efforts to encourage ratification of the Convention on the Rights of the Child contributed to near-universal ratification. In collaboration with other partner institutions, UNICEF is now working to identify indicators to assist in the sustained monitoring of the implementation of the Convention through a process that attempts to place universal rights within the national cultural context. The lessons learned from such experiences may prove useful in the search for meaningful indicators of economic, social and cultural rights, called for in the Vienna Declaration and Programme of Action.[24]

42. ILO is giving priority attention to the issue of child labour. Its International Programme on the Elimination of Child Labour (IPEC) is based on the human rights standards adopted by the United Nations and refers to the expertise of the United Nations human rights programme. ILO also continues to work on a new convention concerning extreme forms of child labour, about which consultations have been held with the Committee on the Rights of the Child and which is expected to reinforce existing international standards on the rights of the child. It is expected that such a convention will be adopted by the General Conference of the ILO in 1999.

43. UNESCO has initiated a network of universities undertaking research on children's rights. UNHCR has adopted Policy Guidelines on Refugee Children, which are directly guided by the legal framework provided by the Convention on the Rights of the Child. WHO has developed a framework for increasing the focus on the rights of the child in all its relevant programmes and for strengthening its input into the reporting process of the Committee on the Rights of the Child. UNAIDS selected "Children living in a World with AIDS" as the theme for its 1997 World AIDS Campaign. In 1998, the focus will shift to young people aged 10-24 years. This is also the topic selected by the Committee on the Rights of the Child for its general discussion day in October 1998. The Convention on the Rights of the Child served as the basic reference for The Hague Conference on Private International Law in its elaboration of new standards for the protection of children.

44. The Committee on the Rights of the Child has emphasized the need for greater cooperation within the United Nations system with a view to regularly reviewing and monitoring the situation of children. There is a noticeable trend to better integrate and mainstream child rights into special procedures mandated by the Commission on Human Rights. The activities of the Special Rapporteur on the sale of children, child prostitution and child pornography, as well as the mandates of the Special Rapporteur on violence against women and the Working Group on Contemporary Forms of Slavery, are clear examples here. A study on the impact of armed conflict on children (A/51/306), undertaken at the request of the Committee by Mrs. Graça Machel, illustrates the effective interaction between international intergovernmental and non-governmental organizations and academic institutions in the area of children in especially difficult circumstances. It subsequently gave rise to the appointment of the Special Representative of the Secretary-General on the impact of armed conflict on children. Growing interest is also paid by various parts of the United Nations system (including the Commission on Crime Prevention and Criminal Justice and the Commission on Human Rights, in particular) and the non-governmental community to the issue of juvenile justice.

B. Indigenous peoples

45. Recognizing the inherent dignity and the unique contribution of indigenous peoples to the development and plurality of society, the World Conference reaffirmed the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development. The Conference addressed several recommendations to United Nations organs and bodies.

46. In 1994, the General Assembly, by resolution 48/163, proclaimed the International Decade of the World's Indigenous People, commencing on 10 December 1994. The Programme of Activities for the Decade was adopted by the General Assembly in its resolution 50/157. A mid-term review of the Decade by the Economic and Social Council is due to take place in 1999 or early in 2000. A voluntary fund for the International Decade was established and an advisory group created to make recommendations to the Coordinator of the Decade, the United Nations High Commissioner for Human Rights.

47. The Working Group on Indigenous Populations completed the draft declaration on the rights of indigenous people in 1993. However, the progress of the review of the draft by the Working Group established by the Commission on Human Rights has been slow. The Working Group on Indigenous Populations decided to highlight specific themes in order to strengthen the involvement of relevant components of the United Nations system . At its session in July 1998, it will focus on the topic "Indigenous peoples:

education and language". UNESCO is invited to make a substantive contribution.

48. Two workshops (Copenhagen, June 1996 and Santiago de Chile, June 1997) have been held to discuss the recommendation of the World Conference on Human Rights concerning the establishment of a permanent forum for indigenous people within the United Nations system. However, they did not produce any clear consensus on the nature and terms of reference of such a forum. At its fifty-fourth session, in 1998, the Commission on Human Rights, in its resolution 1998/20, decided to establish an open-ended ad hoc working group to elaborate and consider further proposals.

49. The work of ILO on the protection of indigenous and tribal peoples goes back to 1921. ILO's conventions: the Indigenous and Tribal Populations Convention, 1957 (No. 107) and the Indigenous and Tribal Peoples Convention, 1989 (No. 169) constitute the only global international instruments dealing directly with this subject. ILO technical assistance (a project for the promotion of ILO policy on indigenous and tribal peoples and the Interregional Programme to Support Self-Reliance of Indigenous and Tribal Communities through Cooperatives and Other Self-Help Organizations (INDISCO)) focuses, *inter alia*, on enabling these peoples to improve the promotion of their rights within the context of ILO standards and on assisting them through specific projects. As a contribution to the International Decade of the World's Indigenous People, a revised Guide to Convention No. 169 was published in English and Spanish, and "Effective negotiation by indigenous peoples: an action guide with special reference to North America" was issued. UNESCO is actively involved in the promotion of the rights of indigenous peoples in Latin America and the Caribbean. As a practical step in the advancement of indigenous rights in Guatemala, and to monitor the verification of the peace agreement on indigenous rights, UNV identified professional people of indigenous origin to serve as United Nations volunteers with the United Nations Human Rights Verification Mission in Guatemala. The World Intellectual Property Organization (WIPO) is undertaking projects to promote and protect the right to intellectual property of holders of traditional knowledge.

C. Minorities

50. The World Conference on Human Rights urged all States and the international community to promote and protect minority rights as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the General Assembly in December 1992 (resolution 47/135, annex). Activities of the United Nations system in this area, referred to by the Secretary-General in his annual reports on the protection of minorities, include the creation of specific national institutions and capacities for education in minority languages, the provision of assistance to refugees belonging to minorities the implementation of international human rights standards protecting minorities, and the sensitization of United Nations field personnel to minority issues.

51. In 1995, a Working Group on Minorities of the Subcommission on Prevention of Discrimination and Protection of Minorities was established to promote the rights as set out in the 1992 Declaration. During the first three-year period, the Working Group focused on reviewing the promotion and practical realization of the Declaration, examining possible solutions to problems involving minorities, and recommending further measures for the promotion and protection of their rights. The Working Group is increasingly becoming a forum for dialogue between Governments, components of the United Nations system, international and non-governmental organizations and minorities themselves.

52. The Commission on Human Rights, in its resolution 1997/16,[25] requested the United Nations High Commissioner for Human Rights to continue steps undertaken to enhance cooperation among components of the United Nations system which deal with minority issues and coordination of their relevant activities. To that end, the Office of the High Commissioner organizes periodic consultations in which representatives of approximately 10 organizations participate. The consultations provide a useful forum for the exchange of information, as well as for discussing possible avenues of collaboration. The focus in the past has been on technical cooperation, training and coordinated cooperation with the Working Group on minorities.

D. Migrant workers

53. Recognizing the need to guarantee the protection of the human rights of all migrant workers and their families, the World Conference on Human Rights called for greater harmony and tolerance between migrant workers and the rest of the society. The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of the Their Families has, as of today, been ratified or acceded to by only nine countries. More than twice that number of States parties are required for it to enter into

force. The invitation by the World Conference to ratify this treaty was not echoed by Member States. Recently, a steering committee in which ILO, the Office of the United Nations High Commissioner for Human Rights and a number of non-governmental organizations are actively engaged, was convened by the International Migrants Rights Watch Committee to promote ratification of the Convention.

54. The Commission on Human Rights, at its fifty-third session, in 1997, appointed a five-member intergovernmental working group to identify pertinent issues concerning migrants' human rights and obstacles to their effective protection. The Working Group drew upon the expertise of UNCHR, ILO and IOM as well as of the World Council of Churches to develop a questionnaire sent to all Governments to chart the present situation of migrants' rights and to request measures towards the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

55. The General Assembly is particularly concerned about the situation of women migrant workers. It has urged the Governments concerned to strengthen their national efforts to protect and promote the rights and welfare of this group. The General Assembly also invited United Nations organs and bodies, including the Economic and Social Council to address the protection and promotion of the rights and welfare of women migrant workers in the context of the present review and the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights. The Secretary-General will submit to the General Assembly at its fifty-fourth session a comprehensive report on the problem of violence against women migrant workers.

E. Internally displaced persons

56. The World Conference on Human Rights called for lasting solutions to questions related to internally displaced persons, including their voluntary and safe return and rehabilitation.[26] Five years later, this phenomenon continues to be one of the major challenges confronting the international community. The number of internally displaced persons has now reached between 25-30 million. The Secretary-General's Special Representative on internally displaced persons has called for a range of activities which will require the commitment of the entire United Nations family to implement. Among others, they include disseminating the normative standards on internal displacement and promoting their use by Governments, international organizations and non-governmental organizations; assisting in the development and delivery of training on internally displaced persons so that United Nations staff members can become better informed about how to address situations of internal displacement; closely monitoring serious problems of internal displacement, now taking place in more than 35 countries; establishing an institutional framework which could serve effective promotion and protection of human rights of the internally displaced. In the context of the Secretary-General's programme of reform (A/51/950), responsibility for effectively addressing the issue of internally displaced persons has been assigned to the Emergency Relief Coordinator.

57. The Special Representative has also stressed that an effective response to internal displacement cannot be provided by one body or agency. System-wide cooperation is necessary to eliminate root-causes of displacement and assist victims. It should be supported by more collaborative institutional arrangements, both at headquarters and in the field. Moreover, the United Nations system must reach beyond its own resources to regional and non-governmental organizations. One example of such a consolidated approach is provided by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, which was organized by UNHCR, IOM and the Organization for Security and Cooperation in Europe in 1996 (see A/51/341 and Corr.1). UNHCR, UNICEF, WFP, and UNDP are involved in projects for internally displaced persons. The World Bank decided to include the reintegration of displaced persons among the components of its new area of activity in post-conflict reconstruction. The main contribution of the Office of the United Nations High Commissioner for Human Rights consists of cooperation with other components of the United Nations system in protecting the human rights of displaced persons and promoting their return and reintegration in conditions of safety and dignity.

F. Other groups

58. HIV/AIDS exposes a growing group of people to potential human rights violations. In response to this challenge, the Commission on Human Rights decided to invite all States to consider the guidelines recommended by the experts who participated in the Second International Consultation on HIV/AIDS and Human Rights, summarized in the annex to the Commission resolution 1997/33.[27] At its fifty-fifth session (1999), the Commission will again discuss

the question of the protection of human rights in the context of HIV/AIDS. In 1996, UNAIDS, in collaboration with WHO and UNHCR produced "Guidelines for HIV interventions in emergency settings", subsequently endorsed by the Inter-Agency Working Group on AIDS, the purpose of which is to allow for early measures by all partners to prevent the rapid spread of HIV and to provide adequate care for those already affected. In 1998, UNAIDS and UNHCR will also develop a cooperative framework to address the issue of the spread of HIV among refugees and internally displaced persons and to identify responses to prevent HIV transmission in emergency situations. UNAIDS, UNDP the United Nations Office for Project Services (UNOPS) and UNV are also working together with a network of national cooperating partners in Zambia and Malawi to launch the project "UNV support to people living with HIV and AIDS", which is designed to involve people living with HIV/AIDS as national United Nations volunteers to work in their own countries and communities.

59. The World Conference on Human Rights called for legislation to be adopted to ensure access for disabled persons to all human rights and freedoms. The General Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (resolution 48/96, annex). A Special Rapporteur has been appointed within the framework of the Commission for Social Development to monitor the implementation of the Standard Rules. The General Assembly reaffirmed the continuing validity and value of the World Programme of Action concerning Disabled Persons and decided that the third quinquennial review and appraisal of the Programme will be presented in 2002. It also welcomed the cooperation of the Special Rapporteur with the Commission on Human Rights and the Committee on the Rights of the Child which, in October 1997, held a day of general discussion on the rights of disabled children, with the active participation of the Special Rapporteur.

Recommendations:

(i) The Council could stress the importance of initiatives developed by components of the United Nations system to improve the promotion and protection of the rights of the child. Inter-agency cooperation in this respect has increased the results achieved to date and paved the way for cooperation in other areas. Further development of joint and/or coordinated efforts, as well as involvement of all components of the United Nations system in the protection of the rights of the child, should be encouraged.

(ii) The Council could request that human rights and humanitarian concerns relating to children affected by armed conflict and their protection be fully reflected in United Nations field activities.

(iii) The Council could highlight cooperation between the Committee on the Rights of the Child and UNICEF as an example that might be followed by other components of the United Nations system and human rights treaty bodies in their mutual contacts.

(iv) The Council could encourage its subsidiary bodies and other components of the United Nations system to organize seminars at the regional and subregional levels to facilitate the drafting process of the declaration on the rights of indigenous peoples by the Working Group of the Commission on Human Rights. The Council could call upon the relevant components of the United Nations system to encourage and facilitate the ratification of ILO Convention No. 169 (1989)on Indigenous and Tribal Peoples.

(v) The Council could request the United Nations Development Programme and other components of the United Nations system to ensure that their programmes address the rights of indigenous peoples. UNDP in cooperation with the United Nations High Commissioner for Human Rights, who is the Coordinator of the International Decade, should be encouraged to consider establishing small grants for projects carried out by indigenous peoples.

(vi) The Council could call upon components of the United Nations system to enhance their involvement in the promotion and protection of the rights of persons belonging to minorities. The Council could further endorse the continuation of inter-agency consultations on minority issues with a view to enhancing the exchange of information and ensuring, through the Working Group on Minorities, increased participation of minorities in programmes and projects that affect them.

(vii) The Council may call upon the relevant components of the United Nations system to encourage and facilitate the ratification of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which has not yet entered into force because of an insufficient number of ratifications.

(viii) The Council could request all components of the United Nations system to undertake a coordinated yearly assessment of the impact of their strategies and policies on the enjoyment of human rights of groups requiring special protection, such as children, indigenous populations, minorities, migrant workers, trafficked migrants and internally displaced persons.

VII. Technical cooperation, human rights education and information

A. Technical cooperation

60. The World Conference on Human Rights strongly recommended that a comprehensive programme be established within the United Nations in order to assist States in the task of building and strengthening adequate national capacities that have a direct impact on the overall observance of human rights and the maintenance of the rule of law.[28] The technical cooperation programme of the United Nations High Commissioner for Human Rights, which has expanded significantly during the past five years, is an important example of this trend. The number of activities carried out annually under the programme has more than tripled since 1993 and the number of countries where those activities are taking place (currently more than 30) has increased accordingly. Following the World Conference, major changes were undertaken regarding the working methods employed under the technical cooperation programme. In 1996, the Office of the High Commissioner adopted the "logical framework method" of project formulation, the leading methodology for project design now being used by most major international organizations in the field of technical cooperation, in an effort to improve the quality of projects.

61. The Office of the High Commissioner has oriented its technical cooperation programme towards developing countries and countries in transition to democracy. Other important factors determining possible programmes of technical cooperation provided by the Office to Member States at their request are: specific recommendations made by the United Nations human rights treaty bodies; recommendations made by the Commission on Human Rights and its mechanisms, including the representatives of the Secretary-General, the special rapporteurs on thematic or country situations and the various working groups; the recommendations adopted by the Board of Trustees of the Voluntary Fund for Technical Cooperation; and the views expressed by national human rights institutions and national and international non-governmental organizations.

62. The World Conference on Human Rights encouraged the establishment or strengthening of national institutions and reaffirmed the important role they play, in particular in their advisory capacity to the competent authorities; remedying human rights violations; the dissemination of human rights information; and education in human rights. Assistance to those involved in the establishment or strengthening of national institutions is one of the priorities of the Office of the High Commissioner and is provided to countries of all regions. In numerous instances, national institutions have become the focus of technical cooperation initiatives. The Office and UNDP are cooperating very closely in this regard. In 1997, the Office assisted in the organization of a global conference of national institutions in Mexico and regional forums in Africa and Asia.

63. In the five years since the World Conference, other components of the United Nations system have developed the human rights aspects of their technical cooperation programmes significantly. By way of example, one can refer to ILO, which has long experience in technical assistance concerning international labour standards. Its main vehicle is the network of external offices and the multidisciplinary teams in 16 developing regions. Special assistance is also given, by the responsible services in the International Labour Office, to employers' and workers' organizations worldwide so as to develop their capacity to promote human rights in a workplace environment in accordance with ILO standards. UNDP is developing a global programme for human rights strengthening (HURIS) to assist States in implementing human rights treaty commitments. UNICEF is training child rights officers at the national and regional levels and has adopted the Convention on the Rights of the Child as the framework for reporting on activities. CICP has also strengthened its technical cooperation programme, which offers assistance with regard to the rule of law and other areas related to human rights. An interesting example of inter-agency cooperation to facilitate the implementation of treaty body recommendations is the Coordination Panel on the Administration of Juvenile Justice. This initiative resulted from the Guidelines for Action on Children in the Criminal Justice System, which were adopted by the Economic and Social Council in its resolution 1997/30. The inter-agency Panel will focus its work in particular on following-up requests received from Member States pursuant to the recommendations of the Committee on the Rights of the Child.

64. The Secretary-General's programme for reform (A/51/950) stressed that better coordination of human rights-related assistance among United Nations entities would enhance the impact of those activities and reduce their overall costs. To that end, the United Nations High Commissioner for Human Rights is currently undertaking an analysis of technical assistance, which will provide an overview of United Nations technical cooperation activities in areas that have a bearing on human rights and the rule of law; develop a better understanding of United Nations mandates and capacities in this field, including the comparative advantages of the various components of the United Nations system concerned; identify the needs for closer inter-agency cooperation and coordination in order to avoid duplication; identify gaps and weaknesses in present arrangements with respect to programme content, target beneficiaries, funding and project administration; and identify ways to respond better to existing needs as to the quality, consistency and timing of United Nations assistance in the field of human rights and related areas. This analysis, which involves close consultation between the Office of the United Nations High Commissioner for Human Rights and United Nations partners, should be completed in mid-1998.

65. While there has been much progress in the area of cooperative approaches to human rights assistance at the international level, there is evident need for more systematic cooperation at the country level. Inter-agency strategic planning mechanisms, such as the United Nations Development Assistance Framework, the country strategy note and the common country assessment, can greatly facilitate the participation of the Office of the High Commissioner and other United Nations entities that may not be physically present in countries where there is a United Nations assistance programme. This would facilitate the formulation of comprehensive human rights assistance programmes, as foreseen by the World Conference on Human Rights.

B. Education and information

66. The World Conference on Human Rights considered human rights education, training and public information as essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace.[29] Following the recommendation of the World Conference, the General Assembly, by resolution 49/184, proclaimed the United Nations Decade for Human Rights Education (1995-2004) and requested the United Nations High Commissioner for Human Rights to coordinate the implementation of the Plan of Action for the Decade, and components of the United Nations system to contribute to it. The Plan has five objectives: assessment of needs and formulation of strategies; building and strengthening of human rights education programmes at all levels; development of educational materials; strengthening of the role of the mass media; and global dissemination of the Universal Declaration of Human Rights.

67. In this framework, the Office of the High Commissioner has undertaken a series of initiatives, such as the development of guidelines for national plans of action for human rights education;[30] the development of training materials for specific target groups (including police, prison officials, primary and secondary school teachers, judges and lawyers, national and local non-governmental organizations, journalists, human rights monitors and parliamentarians); the development of a database on existing programmes, materials and organizations for human rights education; and the publication of human rights information materials in the framework of the World Public Information Campaign for Human Rights. More recently, the Office has undertaken specific education and public information initiatives within the framework of the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights.

68. Components of the United Nations system have also undertaken human rights education and public information activities in their respective areas. The Decade and the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights have generated additional emphasis on this important issue. For instance, UNESCO and the Department of Public Information of the United Nations Secretariat have allocated significant supplementary resources to these two global initiatives. The United Nations University has developed courses on international human rights, and has included issues of the transition to democracy into its curricula. UNHCR has developed programmes for refugee schools and community groups that provide training for conflict resolution and civic education. The Centre for International Crime Prevention of the United Nations Secretariat is preparing training materials for professional groups working in the administration of justice. The Universal Postal Union (UPU) has called upon the postal administrations of its 189 member countries to issue a postage stamp commemorating the fiftieth anniversary of the Universal Declaration of Human Rights. UPU also organized its twenty-seventh international letter-writing contest for young people (1998) using the theme "I'm writing to a friend giving my views on human rights".

69. UNESCO plays a very important role in the area of human rights education. In the months leading up to the World Conference on Human Rights, UNESCO organized the International Congress on Education for Human Rights and Democracy (March 1993). Currently, UNESCO has taken a series of important initiatives, such as the organization of four regional conferences on human rights education (for Europe, Africa, the Arab World and Asia) and a related panel of experts from various regions; an education and public awareness campaign on the Universal Declaration of Human Rights, including the development of training tools (for school and university level) and promotional materials; and the promotion of research in the field of human rights.

70. The Department of Public Information reflects human rights as it cuts across the work of the United Nations. With a view to raising the awareness of the general public, the Department has developed a multi-media human rights campaign as a contribution to both the Decade and the fiftieth anniversary of the Universal Declaration of Human Rights. This campaign includes the preparation of print materials and radio/television programmes, press coverage of human rights issues and events and the organization of related exhibitions and briefings. The Department's network of United Nations information centres and services around the world, its regular contacts with 1,550 affiliated non-governmental organizations, television and radio programmes, as well as a network of 365 depositary libraries in 141 countries, are also channels for dissemination of relevant human rights information and for generating the organization of local and national events.

71. ILO provides considerable public information on human rights, which includes publications on ILO's human rights standards, affirmative action, HIV/AIDS at the workplace, indigenous and tribal peoples, among others. The basic ILO standards can also be consulted on the ILO Internet site. ILO produces a variety of electronic information sources on labour-related and human rights topics. These range from statistical databases to library holdings to health and safety literature, and beyond. Most of these databases are freely available, and many are now available on the Internet. NATLEX, a national legislation database, contains records for more than 40,000 laws from almost 200 countries.

72. The Office of the United Nations High Commissioner for Human Rights facilitates inter-agency partnerships to support educational and information activities in the field of human rights. For instance, joint projects with UNESCO, the Department of Public Information and their worldwide networks have been developed in order to widely disseminate the Universal Declaration of Human Rights in various national and local languages. United Nations information centres have done more than half of about 300 translations of the Declaration, which are now available on the Web site of the United Nations High Commissioner for Human Rights. Other joint initiatives within the Decade are currently being considered with UNICEF, UNV, the International Telecommunication Union (ITU) and UPU. In addition, consultations with relevant departments of the Secretariat and components of the United Nations system are undertaken regularly.

73. Since 10 December 1996, the Internet Web site of the United Nations High Commissioner for Human Rights, linked with other relevant United Nations Web sites, has become an important and appreciated tool for the quick dissemination of comprehensive human rights information. Databases are being integrated into this Web site, increasing its usefulness (for example, the existing Treaty Bodies Database, as well as the Human Rights News Database and the Human Rights Documents Database to be launched in 1998).

Recommendations:

(i) The Council could note the development of human rights-related assistance to States undertaken by components of the United Nations system within their mandates and foster such initiatives, including the elaboration of joint projects undertaken at the global, regional and national levels. Programmes serving national and local human rights capacities should involve authorities and civil society in the planning and implementation of technical assistance projects. The Council could call for closer cooperation between the Office of the United Nations High Commissioner for Human Rights and other relevant United Nations bodies and agencies in order to systematically identify needs in the area of human rights, democracy and the rule of law. This could be carried out with existing programming tools of development assistance, such as the United Nations Development Assistance Framework, the country strategy note and the common country assessment, as well as in joint needs assessment missions. Components of the United Nations system could also be encouraged to draw upon the expertise of the Office of the United Nations High Commissioner for Human Rights in designing and implementing human rights-related assistance projects.

(ii) The Council could endorse the call of the chairpersons of the human rights treaty bodies for increased interaction between components of the United Nations system and those bodies; for example, the latter's findings should have a greater impact on the technical cooperation programme of the Office of the United Nations High Commissioner for Human Rights and on early warning mechanisms. The Council could recommend regular meetings between the chairpersons of treaty bodies and relevant components of the United Nations system as a means of fostering cooperation between them. The Council could also encourage closer cooperation between components of the United Nations system and mechanisms of the Commission on Human Rights, as well as its other functional commissions, as appropriate.

(iii) The Council could call for renewed system-wide efforts to strengthen the contribution to the implementation of the goals of the United Nations Decade for Human Rights Education by allocating appropriate human and financial resources.

(iv) The Council could encourage relevant departments of the Secretariat and other components of the United Nations system, as provided for by the Plan of Action for the Decade, to appoint a human rights education liaison officer or establish a department (if they have not already done so) to work with the Office of the United Nations High Commissioner for Human Rights in the development of educational activities relating to human rights in the area of their competence.

(v) The Council could request human rights treaty bodies to consider adopting general comments on human rights education (if they have not already done so) and to place emphasis on this issue while cooperating with components of the United Nations system.

(vi) The Council could recommend that the General Assembly reiterate its full support for the World Public Information Campaign on Human Rights, proclaimed in 1988, and allocate adequate resources for its effective performance, as well as call upon the Office of the United Nations High Commissioner for Human Rights to coordinate the substantive aspects of the campaign.

VIII. Implementation of international human rights standards

74. The World Conference on Human Rights recognized that the implementation of international standards remains the major task in the field of human rights. Although Governments bear the primary responsibility for this process, assistance from components of the United Nations system and their cooperation with State authorities and civil society play an essential role in making human rights a reality for all. In the years to come, the United Nations system and its partners should focus on averting human rights violations, particularly mass and grave violations. By taking this approach, the international community can effectively help those who are at risk of becoming victims. The next century should be the time of the prevention of human rights violations.

75. A definitive evaluation of the past five years from the point of view of achievements in the implementation of human rights standards poses serious difficulties. A complex picture emerges from examination of the relevant resolutions adopted by the General Assembly and the Commission on Human Rights, the reports of the human rights machinery, and the contributions to the five-year review of the implementation of the Vienna Declaration and Programme of Action. Encouraging trends and developments can be observed. A number of countries have substantively improved their human rights record. The end of apartheid and the widespread transition to democracy are tangible achievements in the continuing implementation of human rights. Examples of such progress provide satisfaction but are accompanied by serious concern about (a) ongoing obstacles to the enjoyment of all human rights by all, (b) serious human rights violations, (c) difficult human rights situations in a relatively large number of countries and (d) the refusal of some Governments to cooperate with the human rights machinery.

76. The General Assembly and the Commission on Human Rights, as well as other relevant organs of the United Nations continue to call on Governments, the United Nations system and the general public for action with regard to extreme poverty and problems related to sustainable development, environmental degradation, famine and malnutrition, international debt, impunity, racism and xenophobia, discrimination against women, ethnic and religious intolerance, mass exoduses and refugee flows, armed conflicts and terrorism, and absence of the rule of law as major obstacles to human rights. The General Assembly, the Economic and Social Council and its functional

commissions – in particular, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice – alert the international community to extrajudicial, summary or arbitrary executions, capital punishment, torture and enforced disappearance, arbitrary detention, bad prison conditions, trafficking in human beings, inadequate protection of and assistance to victims, violence against women, unlawful conduct of law enforcement officials, discrimination against children and vulnerable groups and the problem of internally displaced persons, among other things. These and other human rights problems require determined action by the international community, including the United Nations system.

77. The universal acceptance of relevant international instruments provides the most stable and effective framework for the implementation of human rights standards. The World Conference also recommended that within the five-year review of the implementation of the Vienna Declaration and Programme of Action "special attention should be paid to assessing the progress towards the goal of universal ratification of international human rights treaties and protocols adopted within the framework of the United Nations system".[31]

78. An increase in the number of ratifications of the six basic human rights treaties (up by nearly 28 per cent since the World Conference) is indeed a positive development. However, the range of ratification of the majority of treaties is far from satisfactory: the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights – 137 and 140 ratifications respectively; the Convention on the Elimination of All Forms of Discrimination against Women – 161 States Parties; the Convention on the Rights of the Child – 191 States Parties; the International Convention on the Elimination of All Forms of Racial Discrimination – 150 States Parties; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment – 104 States Parties. The number of ratifications of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is too low for this treaty to enter into force. The level of ratification of the optional communication procedures is cause for even more concern.[32]

79. On the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, the Secretary-General and the United Nations High Commissioner for Human Rights launched a campaign for the universal ratification of human rights treaties. Components of the United Nations system are invited to join this campaign by promoting the ratification process and assisting Governments, within the context of their respective mandates, to that end. The Ninety-eighth Inter-Parliamentary Conference in Cairo appealed to parliaments to take steps aimed at ratification of the outstanding international human rights treaties and to review national legislation from the point of view of its consistency with international human rights standards. The ratification of human rights treaties by all States during the next five years, as called for by the High Commissioner, should be the objective of the Organization as a whole.

80. It should be noted that the number of ratifications of the six ILO core human rights conventions ranges between 120 and 146. Following the World Summit for Social Development in 1995, ILO launched a ratification campaign and since then more than 80 ratifications of the core conventions have been registered. ILO has its own human rights supervisory system operating on a wide range of issues relevant to human rights.

81. The potential for cooperation between the United Nations system and the bodies monitoring the implementation of the six United Nations human rights treaties, as well as other similar organs, still needs to be fully explored and exploited. Such cooperation is mutually advantageous and fosters progress in human rights and related areas. The independent expertise of the treaty bodies can provide important input to the design and implementation of programmes in the development and humanitarian fields. At the same time, the work of the treaty bodies can be supported by input from components of the United Nations system, thus enabling the treaty bodies to better understand and evaluate needs connected with the implementation of treaties related to human rights. Analogously, cooperation between components of the United Nations system and other components of the human rights machinery can contribute to a fuller use of their capacities. Therefore, it is important that the representatives of components of the United Nations system attend, more frequently than in the past, the meetings of the Commission on Human Rights and its bodies and organs. Special rapporteurs and other special mechanisms of the Commission on Human Rights on the one hand, and components of the United Nations system on the other, should also derive increased benefit from the mutual exchange of expertise. For example, the following specific areas of cooperation may be identified in this context: (a) exchange of information with special rapporteurs, working groups and treaty bodies; (b) the provision of advisory services and technical assistance to Member States; (c) early warning on emergency situations in the field of human rights; (d) field missions and operations; (e) follow-

up action to the recommendations made by human rights organs and bodies.

82. Protection of human rights constitutes a particular challenge in emergency situations, both natural and man-made. Humanitarian and peacekeeping operations should be guided by the need to protect the human rights of the population concerned and by the recognition of the role of human rights as a factor that can contribute to preventing such situations from occurring or deteriorating and limiting their negative impact, to resolving conflicts peacefully and to lasting reconstruction.

83. The impunity of perpetrators of human rights violations is perceived widely not only as a moral issue but also as an obstacle to durable solutions for conflict situations. Since problems related to such situations are taken up by various parts of the United Nations, it is important that coherent policies are developed. The World Conference supported the examination of this issue by the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities. Two studies have been prepared by the special rapporteurs of the Subcommission with regard to the impunity of perpetrators of violations of civil and political rights, and another report concerning the impunity of perpetrators of violations of cultural, economic and social rights. The United Nations High Commissioner for Human Rights should coordinate the activities of the United Nations in this regard.

Recommendations:

(i) The Council could call on components of the United Nations system to contribute actively to the implementation of all human rights through cooperation with State authorities and civil society. Implementation of international standards remains the major goal of the United Nations in the field of human rights. Components of the United Nations system should address, within their respective mandates, major obstacles to the implementation of all human rights – civil, cultural, economic, political and social rights – as well as serious violations of those rights. Assisting Governments and civil society in approaching and resolving these problems is the basic responsibility of the United Nations system.

(ii) The Council could support the appeal of the High Commissioner, who called for the ratification of all human rights treaties by all States during the next five years. Components of the United Nations system should join this appeal by offering, within the context of their respective mandates, assistance to Governments in the ratification process and in the adaptation of domestic laws to international human rights standards. The Council could also call on components of the United Nations system to contribute, in accordance with their respective mandates, to the implementation of the recommendations of the human rights treaty bodies. To that end, components of the United Nations system should receive and follow-up as pertinent the concluding comments of the treaty bodies on reports by States Parties. The United Nations resident coordinator system and country teams should play an active role in this regard.

(iii) The Council could call on components of the United Nations system to utilize fully the positive impact that a human rights approach can have on the prevention of crisis situations, their resolution and recovery therefrom. Cooperation with the Office of the United Nations High Commissioner for Human Rights in this context can increase the effectiveness of United Nations efforts in such situations.

(iv) The Council could encourage support for the adoption and implementation of national plans of action in the field of human rights, which would include the involvement of the United Nations system, Governments, non-governmental organizations and other actors in civil society.

IX. Interaction between the implementation of the Vienna Declaration and Programme of Action and the outcome of other United Nations conferences and summits

84. The world conferences that followed the World Conference on Human Rights recognized the critical role of human rights in achieving progress in the issues addressed by these conferences. By including human rights concerns in their final documents, the conferences contributed to laying the foundation for a consistent approach to human rights, as well as social and developmental matters, and for coordinated action by the components of the United Nations system involved. Further decisions by the General Assembly

and other competent bodies provide examples that confirm such an evaluation.

85. The implementation of the recommendations adopted by the World Conference on Human Rights is part of the coordinated follow-up to major conferences and summits convened by the United Nations in the past decade. The Office of the United Nations High Commissioner for Human Rights was invited to participate in this process by the Administrative Committee on Coordination at its session in October 1996. The review of the integrated and coordinated implementation and follow-up of major United Nations conferences and summits by the Economic and Social Council, carried out in accordance with its resolution 1997/61, included input from the human rights perspective.

86. The coordinated follow-up to major conferences and summits has recently shown growing consensus and consistency of understanding within the United Nations system of the role of human rights and, consequently, of the implementation of the Vienna Declaration and Programme of Action. A better understanding of the objectives and role of human rights and related programmes could further effective interaction between those components of the United Nations system which bear the main responsibility for the implementation of specific conference and summit recommendations. The Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in April 2000, as the first major conference of the United Nations in the new millennium, will provide another opportunity to stress this link.

Recommendation: The Council could reiterate that the implementation of the Vienna Declaration and Programme of Action should be perceived as an integral part of the coordinated follow-up to major conferences and summits convened by the United Nations. This implies that the recommendations adopted by the World Conference on Human Rights should be taken into account in policy-making, in the development of coordinated country programmes, and in the periodical reviews of the follow-up to conferences and summits.

X. Conclusion

87. Five years after the World Conference on Human Rights, the ability of the United Nations system to assist Governments and societies in their efforts to ensure human rights for all people has undoubtedly been enhanced. This report indicates how much has been done at all levels of the Organization and by many of its components. Today, the United Nations system is better prepared to respond positively to continuingly growing needs. It is now evident that placing the human being and the protection of his/her rights at the centre of United Nations activities is the unifying factor that can bind the work of the United Nations system together towards meeting the goals set by the World Conference on Human Rights and other United Nations conferences and summits. The signs that this process has already begun are encouraging. However, present day realities are more than adequate proof of the fact that the international community has not yet been able to utilize the entire potential of the Conference; nor has the Organization. Therefore, the work of the United Nations system over the next five years should build on the progress achieved to date and bold new steps should be taken to promote and protect the rights of all people. The message of the fiftieth anniversary of the Universal Declaration of Human Rights – "All human rights for all" – is an imperative for all the units of the United Nations. The Vienna Declaration and Programme of Action should guide the efforts directed towards making this imperative a reality.

Notes

[1] A/CONF.157/24 (Part I), chap. III.

[2] Contributions have also been received from 38 Governments, the Council of Europe, the Organization of American States and the National Human Rights Commissions of Canada, New Zealand, the Philippines and Zambia.

[3] A/CONF.157/24 (Part I), chap. III, sect. II, para. 3.

[4] See the report of the United Nations High Commissioner for Human Rights on the right to food (E/CN.4/1998/21).

[5] *Report of the United Nations Conference on Human Settlements, Istanbul, 3-14 June 1996* (E.97.IV.6), chap. I, resolution 1, annex II.

[6] General Assembly resolution 41/128, annex.

[7] See ADMINISTRATIVE COMMITTEE ON COORDINATION/1997/20.

[8] A/CONF.157/24 (Part I), chap. III, sect. II, para. 1.

[9] Ibid., sect. II, para. 7.

[10] Ibid., sect. I, para. 8.

[11] Ibid., sect. II, para. 66.

[12] *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A, resolution 1997/72 on the right to development, adopted by consensus.

[13] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[14] *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[15] A/CONF.157/24 (Part I), sect. I, para. 25.

[16] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 3* (A/51/3/Rev.1), chap. III, para. 2, agreed conclusions 1996/1.

[17] A/CONF.157/24 (Part I), sect. I, para. 18.

[18] See the report of the Secretary-General on mainstreaming the gender perspective into all policies and programmes in the United Nations system (E/1997/66).

[19] See ILO, "General status report on ILO action concerning discrimination in employment and occupation" (GB.268/LILS/8), March 1997.

[20] A/52/3, chap. IV, sect. A, para. 4.

[21] See A/51/385.

[22] See A/53/57.

[23] *Official Records of the Economic and Social Council, 1996, Supplement No. 12* (E/1996/32/Rev.1), annex, decision 1996/1.

[24] A/CONF.157/24 (Part I), sect. II, para. 98.

[25] *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[26] A/CONF.157/24 (Part I), sect. I, para. 23.

[27] *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[28] A/CONF.157/24 (Part I), sect. II, para. 69.

[29] Ibid., sect. II, para. 78.

[30] See A/52/469/Add.1 and Corr.1.

[31] A/CONF.157/24 (Part I), sect. II, para. 100.

[32] The Optional Protocol to the International Covenant on Civil and Political Rights, which has been ratified by 95 States, is an encouraging exception.